



COUNTY OF ROCKLAND
DEPARTMENT OF PLANNING

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EDWIN J. DAY
County Executive

DOUGLAS J. SCHUETZ
Acting Commissioner

ARLENE R. MILLER
Deputy Commissioner

June 26, 2015

Haverstraw Zoning Board of Appeals
One Rosman Road
Garnerville, NY 10923

Tax Data: 27.05-1-2

Re: GENERAL MUNICIPAL LAW REVIEW: Section 239 L and M

Map Date:

Date Review Received: 5/28/2015

Item: *NRG BOWLINE LLC (H-166B)*

Special permit to allow four temporary office trailers so that a scheduled outage can be performed for maintenance and repair for an existing utility power plant located in the PIO zoning district on 26.84 acres.

Northeast side of Bowline Plant Road, 1.075 feet east of Samsondale Avenue

Reason for Referral:

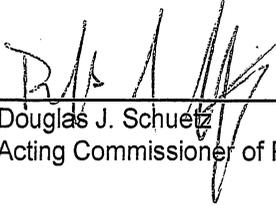
Minisceongo Creek, Village of Haverstraw and West Haverstraw

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

- 1 A time-frame must be provided as to how long the temporary office trailer is expected to be on site. As indicated in Section 167-20, the time period cannot exceed one year.
- 2 The map provided with the application is difficult to read, and does not contain the entire site. It appears though, that OT-1 is proposed to be placed on tax parcel 27.05-1-1 and not 27.05-1-2. If this is the case, then the legal notice must be re-issued indicating that the special permit for the temporary office trailers are located on both of these tax parcels.
- 3 Since the entire site is located within the floodplain, a review must be done by the Rockland County Drainage Agency, and any required permits obtained.

NRG BOWLINE LLC (H-166B)



Douglas J. Schuetz
Acting Commissioner of Planning

cc: Supervisor Howard Phillips, Haverstraw
Rockland County Drainage Agency
Village of Haverstraw & West Haverstraw
Ira M. Emanuel, P.C.

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.